

Chapter 5

Getting Started

Before money is raised or spent in connection with an election, committee treasurers should become familiar with the various campaign disclosure forms applicable to the type of campaign or committee involved.

Statement of Organization

The Form 410 identifies the name of the committee and provides the public information regarding the committee's purpose and its officers. See Chapter 1 for information on when a person or group qualifies as a primarily formed ballot measure committee and committee name requirements.

When & Where to File

The original and one copy of the Form 410 are filed with the Secretary of State within 10 days of raising \$1,000 or more in contributions in connection with a measure.

Examples *A statewide initiative is being drafted. In anticipation of the initiative qualifying for the ballot, a group sends solicitation requests to support the proposal and raises \$75,000. The group is not required to file disclosure reports listing the sources of the \$75,000 until petition circulation begins. On the first day of petition circulation, the group qualifies as a committee and is subject to reporting obligations. The committee must file a Statement of Organization, Form 410, within 10 calendar days and, because the committee raised \$50,000 or more, it must file a \$5,000 electronic report within 10 business days listing any single contributor of \$5,000 or more. The committee is subject to quarterly, semi-annual, and pre-election statements as well as special reports as discussed in this manual.*

A city council votes to place a bond measure on the ballot. Following the vote, a group of citizens opens a bank account and begins collecting money to oppose the measure. The group must file a Statement of Organization, Form 410, within 10 calendar days of raising \$1,000. The committee is subject to quarterly, semi-annual, and pre-election statements as well as special reports as discussed in this manual.

File the Form 410 with the:

Secretary of State
Political Reform Division
1500 11th Street, Room 495
Sacramento, CA 95814

In addition, if the committee is primarily formed to support a county or city measure, a copy of the Form 410 must be filed with the county registrar or city clerk, respectively, within the same time frame. The Form 410 may be filed prior to raising \$1,000, but then must be amended within 10 days to disclose the date qualified as a committee.

Upon receipt of the Form 410, the Secretary of State's office will assign the committee an identification number. This number is used on all reporting forms. After filing the Form 410, you may check the Secretary of State's website to obtain your committee's identification number. Go to www.sos.ca.gov, click on the Campaign and Lobbying Information link, then type the name of your committee in the Cal Access space. Contact the Secretary of State's office at (916) 653-6224 with any other questions about committee identification numbers.

24-Hour Deadline

A primarily formed ballot measure committee that qualifies during the last 16 days before the election must file Form

410, or the information required on the Form 410, **within 24 hours** of qualifying. The information must be provided to the filing officer with whom the committee will be filing its original campaign disclosure statements by fax, guaranteed overnight delivery, online transmission or personal delivery. In addition, an original Form 410 must be filed with the Secretary of State within 10 days of qualifying as a committee (regular mail may be used).

Example *Fourteen days before the county election, the group opposing Measure A received a contribution of \$900 bringing their cumulative contributions received to date to \$1,250. Because they qualified as a committee within 16 days before the election on which the ballot measure would be voted, they must file the information contained on the Form 410 with the **county registrar** within **24 hours** of qualifying as a committee. They must also file an original Form 410 **within 10 days** with the **Secretary of State**.*

Amendments

When any information on the Form 410 changes, an amendment must be filed within 10 days of the change. However, an exception exists for committees amending their statement of organization to include the numerical or letter designation of the ballot measure. Within 30 days of the number or letter designation for the ballot measure, a committee primarily formed to support or oppose the measure must include the statement, “a committee for Proposition _____,” or, “a committee against Proposition _____,” whichever is applicable, in any reference to the committee required by law, including the name of the committee. To amend:

- The “Amendment” box is checked at the top of the Form 410 and the committee’s identification number entered;

- The name of the committee is provided;
- The information that has changed is included; and
- The verification is signed. In the case of a controlled committee, both the treasurer and the candidate(s) or state ballot measure proponent must sign.

Example *The Committee to Protect Our Coast qualified as a committee in May. On July 15, the Secretary of State issued the designated number of the measure for the ballot. By August 14, the committee must file another Form 410 amending its name to include the ballot number and the committee’s position. For example, Committee to Protect Our Coast, A Committee for Proposition 310, would meet the requirements.*

24-Hour Deadline for Amendments

If, during the last 16 days before the election, the primarily formed ballot measure committee changes

- the name of the committee;
- the treasurer or other principal officers;
- any candidate or state ballot measure proponent who controls the committee; or
- any committee with which the committee acts jointly,

the amended information must be filed within 24 hours with the filing officer with whom the committee files its original campaign statements, and within 10 days with the Secretary of State. The amendment provided to the filing officer with whom the committee files its original campaign statements must be delivered by personal delivery, guaranteed overnight delivery, fax, or online transmission.

Form 410 Statement of Organization

Statement of Organization Recipient Committee			Type or print in ink		Date Stamp	STATEMENT OF ORGANIZATION CALIFORNIA FORM 410 <small>For Official Use Only</small>																		
Statement Type <input type="checkbox"/> Initial <small>Not yet qualified <input type="checkbox"/> or</small> Date qualified as committee: ____/____/____	<input checked="" type="checkbox"/> Amendment <small>List I.D. number:</small> # 1254388 Date qualified as committee (if applicable): ____/____/____	<input type="checkbox"/> Termination – See Part 5 <small>List I.D. number:</small> # _____ Date of Termination: ____/____/____																						
1. Committee Information <small>NAME OF COMMITTEE</small> Save Our Water, A Committee for Prop. 215, Sponsored by Farmers of California with major funding by farmers and environmentalists <hr/> <small>STREET ADDRESS (NO P.O. BOX)</small> 900 West First Street, Suite 2700 <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><small>CITY</small> Los Angeles</td> <td style="width: 10%;"><small>STATE</small> CA</td> <td style="width: 15%;"><small>ZIP CODE</small> 90012</td> <td style="width: 42%;"><small>AREA CODE/PHONE</small> 213/555-0848</td> </tr> </table> <hr/> <small>MAILING ADDRESS (IF DIFFERENT)</small> PO Box 16500 Los Angeles, CA 90012-6500 <hr/> <small>OPTIONAL: FAX / EMAIL ADDRESS</small> _____ <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><small>COUNTY OF DOMICILE</small> Los Angeles</td> <td style="width: 67%;"><small>COUNTY WHERE COMMITTEE IS ACTIVE IF DIFFERENT THAN COUNTY OF DOMICILE</small> _____</td> </tr> </table> <hr/> <small>Attach additional information on appropriately labeled continuation sheets.</small>			<small>CITY</small> Los Angeles	<small>STATE</small> CA	<small>ZIP CODE</small> 90012	<small>AREA CODE/PHONE</small> 213/555-0848	<small>COUNTY OF DOMICILE</small> Los Angeles	<small>COUNTY WHERE COMMITTEE IS ACTIVE IF DIFFERENT THAN COUNTY OF DOMICILE</small> _____	2. Treasurer and Other Principal Officers <small>NAME OF TREASURER</small> Pat Brecht <hr/> <small>STREET ADDRESS</small> 900 West First Street, Suite 2700 <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><small>CITY</small> Los Angeles</td> <td style="width: 10%;"><small>STATE</small> CA</td> <td style="width: 15%;"><small>ZIP CODE</small> 90012</td> <td style="width: 42%;"><small>AREA CODE/PHONE</small> 213/555-0848</td> </tr> </table> <hr/> <small>NAME OF ASSISTANT TREASURER, IF ANY</small> Tracy Okamoto <hr/> <small>STREET ADDRESS</small> 900 West First Street, Suite 2700 <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><small>CITY</small> Los Angeles</td> <td style="width: 10%;"><small>STATE</small> CA</td> <td style="width: 15%;"><small>ZIP CODE</small> 90012</td> <td style="width: 42%;"><small>AREA CODE/PHONE</small> 213/555-0848</td> </tr> </table> <hr/> <small>NAME AND POSITION OF OTHER PRINCIPAL OFFICER(S), IF APPLICABLE</small> Elizabeth Parra <hr/> <small>MAILING ADDRESS</small> 1 Market Street, Suite 3400 <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><small>CITY</small> San Francisco</td> <td style="width: 10%;"><small>STATE</small> CA</td> <td style="width: 15%;"><small>ZIP CODE</small> 94105</td> <td style="width: 42%;"><small>AREA CODE/PHONE</small> 415/555-6423</td> </tr> </table>				<small>CITY</small> Los Angeles	<small>STATE</small> CA	<small>ZIP CODE</small> 90012	<small>AREA CODE/PHONE</small> 213/555-0848	<small>CITY</small> Los Angeles	<small>STATE</small> CA	<small>ZIP CODE</small> 90012	<small>AREA CODE/PHONE</small> 213/555-0848	<small>CITY</small> San Francisco	<small>STATE</small> CA	<small>ZIP CODE</small> 94105	<small>AREA CODE/PHONE</small> 415/555-6423
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3. Verification I have used all reasonable diligence in preparing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 45%;">Executed on <u>6/30/XX</u> <small>DATE</small></td> <td style="width: 55%;">By _____ <small>SIGNATURE OF TREASURER OR ASSISTANT TREASURER</small></td> </tr> <tr> <td>Executed on <u>6/30/XX</u> <small>DATE</small></td> <td>By _____ <small>SIGNATURE OF CONTROLLING OFFICER/CLERK, CANDIDATE, OR STATE MEASURE PROPONENT</small></td> </tr> </table>							Executed on <u>6/30/XX</u> <small>DATE</small>	By _____ <small>SIGNATURE OF TREASURER OR ASSISTANT TREASURER</small>	Executed on <u>6/30/XX</u> <small>DATE</small>	By _____ <small>SIGNATURE OF CONTROLLING OFFICER/CLERK, CANDIDATE, OR STATE MEASURE PROPONENT</small>														
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How to Complete Form 410

Statement Type

Check the “Initial” box if this is the first filing and indicate the date on which the committee met the \$1,000 threshold or check the “Not Yet Qualified” box.

Check the “Amendment” box to amend information on an existing Form 410, e.g., to report the measure’s number or letter assigned for the ballot.

Check the “Termination” box to close the campaign committee. The committee’s campaign filing obligations will continue until it meets the requirements to terminate and files a Form 410, checking the “Termination” box. (See Chapter 9.)

Committee Name Identification

Provide the full name of the committee. (See Chapter 1 for important information about committee name requirements.)

Committee Address

Use a street address as the address of the committee. A post office box may be used as a mailing address. The committee may have more than one mailing address.

County of Domicile

Indicate the county in which the committee is located. This may be different than the county in which the committee is active.

(Example) *Protect Our Parks, A Committee for Measure K, is a committee primarily formed to support a ballot measure to be voted upon in Los Angeles County. However, the committee’s address is in Orange County. The Form 410 reports Orange County as the “County of Domicile” and Los Angeles County under “County Where Committee is Active if Different than County of Domicile.” Statements are filed in both locations.*

Treasurer, Assistant Treasurer, and Other Principal Officers

The committee must have a treasurer and may have an assistant treasurer. Report the names of the treasurer and assistant treasurer along with their mailing addresses and phone numbers. If the committee has principal officers, other than the treasurers, list each officer's full name, position held, and street address.

If a candidate or state ballot measure proponent controls the committee and chooses to be the treasurer, list the name, mailing address, and telephone number of the candidate/state ballot measure proponent. In that case, remember that for statements requiring signatures of the candidate/state ballot measure proponent and treasurer, the candidate/state ballot measure proponent must sign on both lines.

Verification

The Form 410 is not considered filed if it is not signed. The treasurer, or assistant treasurer, must sign the verification. In the case of a controlled committee, both the treasurer or assistant treasurer **and** the candidate/state ballot measure proponent must sign.

When two or three candidates control a committee, each candidate must sign the verification. If more than three candidates control the committee, one of the candidates may sign on behalf of all controlling candidates.

Form 410
Statement of
Organization
Page 2

Statement of Organization Recipient Committee			STATEMENT OF ORGANIZATION CALIFORNIA FORM 410	
<small>INSTRUCTIONS ON REVERSE</small>			<small>Page 2</small>	
COMMITTEE NAME Save Our Water, A Committee for Prop. 215, Sponsored by Farmers of California with major funding by farmers and environmentalists			I.D. NUMBER 1254388	
4. Type of Committee Complete the applicable sections.				
Controlled Committee <ul style="list-style-type: none"> List the name of each controlling officeholder, candidate, or state measure proponent. If candidate or officeholder controlled, also list the elective office sought or held, and district number, if any, and the year of the election. List the political party with which each officeholder or candidate is affiliated or check "non-partisan." If this committee acts jointly with another controlled committee, list the name and identification number of the other controlled committee. 				
NAME OF CANDIDATE/OFFICEHOLDER/STATE MEASURE PROPONENT	ELECTIVE OFFICE SOUGHT OR HELD (INCLUDE DISTRICT NUMBER IF APPLICABLE)	YEAR OF ELECTION	PARTY	
Elizabeth Parra	n/a	n/a	<input type="checkbox"/> Non-Partisan n/a	
			<input type="checkbox"/> Non-Partisan	
<ul style="list-style-type: none"> List the financial institution where the campaign bank account is located (controlled "candidate election" committees only) 				
NAME OF FINANCIAL INSTITUTION	AREA CODE/PHONE	BANK ACCOUNT NUMBER		
ADDRESS	CITY	STATE	ZIP CODE	
Primarily Formed Committee Primarily formed to support or oppose specific candidates or measures in a single election. List below:				
CANDIDATE(S) NAME OR MEASURE(S) FULL TITLE (INCLUDE BALLOT NO. OR LETTER)	CANDIDATE(S) OFFICE SOUGHT OR HELD OR MEASURE(S) JURISDICTION (INCLUDE DISTRICT NO., CITY OR COUNTY, AS APPLICABLE)		CHECK ONE	
Groundwater Conservation Act, Proposition 215	State of CA		SUPPORT <input checked="" type="checkbox"/>	OPPOSE <input type="checkbox"/>
			SUPPORT <input type="checkbox"/>	OPPOSE <input type="checkbox"/>

Type of Committee

Controlled Committee

A candidate, officeholder, or state ballot measure proponent must provide his or her name and the elective office sought or held. A candidate or officeholder must also identify the year of election, and party affiliation, if any.

Name of Financial Institution

Primarily formed ballot measure committees do not complete this section.

Primarily Formed Committee

All primarily formed ballot measure committees must complete this section. If the committee is sponsored, complete the sponsored committee section of the Form 410.



Committees formed to support or oppose the recall of an officeholder are considered primarily formed ballot measure committees. (Officeholders may choose to use their existing campaign committees from their last election. These committees are not considered ballot measure committees. State officeholders, see Manual 1 for instructions; local officeholders, see Manual 2 for instructions.)

Chapter 5 — Getting Started

Form 410 Statement of Organization Page 3

Statement of Organization Recipient Committee		STATEMENT OF ORGANIZATION CALIFORNIA FORM 410	
INSTRUCTIONS ON REVERSE		Page 3	
COMMITTEE NAME Save Our Water, A Committee for Prop. 215, Sponsored by Farmers of California with major funding by farmers and environmentalists		I.D. NUMBER 1254388	
4. Type of Committee (Continued)			
General Purpose Committee Not formed to support or oppose specific candidates or measures in a single election. Check only one box: <input type="checkbox"/> CITY Committee <input type="checkbox"/> COUNTY Committee <input type="checkbox"/> STATE Committee			
PROVIDE BRIEF DESCRIPTION OF ACTIVITY			
Sponsored Committee List additional sponsors on an attachment.			
NAME OF SPONSOR Farmers of California		INDUSTRY GROUP OR AFFILIATION OF SPONSOR Farming	
STREET ADDRESS	NO. AND STREET	CITY	STATE ZIP CODE
	300 Capitol Avenue, Suite 2100	Sacramento	CA 95814
Small Contributor Committee <input type="checkbox"/> _____ Date qualified _____ Check box and provide the date this committee qualified as a small contributor committee. If the committee qualified as a small contributor committee on January 1, 2001, enter 1/1/01.			

Sponsored Committee

A committee sponsored by an entity must provide the name and address of the sponsor. In addition, indicate the industry group or affiliation of the sponsor. Individuals do not sponsor committees.

An entity sponsors a committee if any one of the following criteria apply:

- The committee receives 80% or more of its contributions from the entity or its members, officers, employees, or shareholders.
- The entity collects contributions for the committee through payroll deductions or dues from its members, officers, or employees.
- The entity, alone or in combination with other organizations, provides all or nearly all of the administrative services for the committee.
- The entity, alone or in combination with other organizations, sets the policies for contribution solicitation or payment of expenditures from committee funds.

Answering Your Questions

Q. *Must we wait until \$1,000 is received to file a Form 410?*

A. No. You may file a Form 410 prior to committee qualification. Check the box "Not Yet Qualified." File an amendment reporting the date the committee qualified.

Q. *May our committee use a mail receiving and forwarding service, such as Mail Boxes Etc., as the committee's street address on the Form 410?*

A. No. A post office box or lock box number is not acceptable as a street address. You may use a post office box address on a mass mailing as long as you indicate this address as your mailing address on the Form 410.

Q. *As the state ballot measure proponent, may I be designated treasurer on the Form 410?*

A. Yes, you may be the treasurer or assistant treasurer.

Q. *An elected officeholder made a \$10,000 contribution to a noncontrolled ballot*

measure committee. Must the officeholder's name be included in the name of the ballot measure committee?

- A. No. The officeholder's name would be required only if the officeholder (and/or his or her controlled committee) was a major contributor of \$50,000 or more.

Authority

The following Government Code Sections and Title 2 regulations provide authority for the preceding information in this chapter:

Government Codes Sections

- 81004 *Reports and Statements; Perjury; Verification.*
- 81004.5 *Reports and Statements; Amendments.*
- 81007 *Mailing of Report or Statement.*
- 82007 *Candidate.*
- 82013 *Committee.*
- 82016 *Controlled Committee.*
- 82047.5 *Primarily Formed Committee.*
- 82048.7 *Sponsored Committee.*
- 84101 *Statement of Organization; Filing.*
- 84102 *Statement of Organization; Contents.*
- 84103 *Statement of Organization; Amendment.*
- 84106 *Sponsored Committee; Identification.*
- 84107 *Ballot Measure Committee; Identification.*
- 84214 *Termination.*
- 84215 *Campaign Reports and Statements; Where to File.*
- 84504 *Identification of Committee.*
- 84505 *Avoidance of Disclosure.*

Title 2 Regulations

- 18402 *Committee Name.*
- 18404 *Termination of Candidate's and Committees' Filing Requirements.*
- 18419 *Sponsored Committees.*
- 18450.3 *Committee Name Identification. Advertisement Disclosure.*